

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49764 of 2023

Arising Out of PS. Case No.-427 Year-2022 Thana- AMAS District- Gaya

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NITISH KUMAR @ AJAY PRASAD SON OF RAM KEWAL PRASAD
R/O-SHAMSKHERKHA, P.S.-AMAS, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 386, 387/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with others are alleged to have demanded extortion amount of Rs. one lakhs from the informant and threatened to kill on its non-fulfillment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. His named transpired in this case on the basis of confessional statement of co-accused namely, Guddu



Kumar before police, which is inadmissible in the eye of law. It is also submitted that ransom demand has not been executed. No any incriminating article has been recovered from possession of the petitioner. Moreover, he is languishing in judicial custody since 21.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amas P.S. Case No. 427 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati Gaya.

(Sunil Kumar Panwar, J)

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